



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,144	03/29/2004	Emmanuel Cyrille Pascal Briand	674525-2011

20999  
 FROMMER LAWRENCE & HAUG  
 745 FIFTH AVENUE- 10TH FL.  
 NEW YORK, NY 10151



CONFIRMATION NO. 3079

## FORMALITIES LETTER

\*OC000000012570548\*

Date Mailed: 05/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

08/10/2004 MBELETE1 00000036 500320 10812144

01 FC:1051 130.00 DA

A handwritten signature in cursive script, likely reading "Shuraf", is written over a horizontal line.

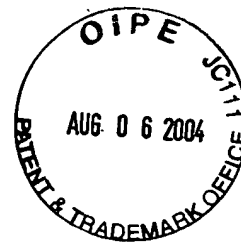
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT  
674525-2011**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Emmanuel Cyrille Pascal BRIEND, et al  
Serial No. : 10/812,144  
For : MODULATORS  
Filed : March 29, 2004  
Examiner : To Be Assigned  
Art Unit : 1645



Fifth Avenue, New York, NY 10151

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper being transmitted to the United States Patent and Trademark Office on the date indicated below to (703) 746-4060 the facsimile number designated to receive Responses to Notice to File Missing Parts.

Anne-Marie C. Yvon Reg. No. 52,390

(Typed or printed name)

Anne-Marie C. Yvon

(Signature of person mailing paper or fee)

August 6, 2004

(Date)

**COMMUNICATION FORWARDING DECLARATION  
AND REQUEST FOR EXTENSION OF TIME**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed May 12, 2004, setting a two-month period for reply. Pursuant to 37 C.F.R. §§1.136(a) and 1.17(a), it is respectfully requested that the period for reply be extended one month, i.e., up to and including August 12, 2004. The Commissioner is hereby authorized to charge the Late Declaration Surcharge in the amount of \$130.00, and the required fee of \$110.00 for the extension of time to Deposit Account 50-0320.

08/10/2004 MBELETE1 00000036 500320 10812144

02 FC:1251 110.00 DA

PATENT  
674525-2011**REMARKS**

The Notice to File Missing Parts of Nonprovisional Application required the submission of an executed declaration and the associated surcharge. It is respectfully submitted that these requirements are satisfied by the enclosures herein.

**CONCLUSION**

In view of the remarks and enclosures herein, it is respectfully submitted that the application now complies with all requirements set forth in the Notice. Reconsideration and withdrawal of the Notice to File Missing Parts of Nonprovisional Application is earnestly solicited.

Should additional fees be necessary in connection with the filing of this paper the Commissioner is hereby authorized to charge Deposit Account No. 50-0320 for any such fees.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By: Anne-Marie C. Yvon  
Thomas J. Kowalski  
Reg. No. 32,147

Anne-Marie C. Yvon, Ph.D.  
Reg. No. 52,390  
(212) 588-0800

TJK/jma

Enc.: Executed Declaration  
Copy of Notice to File Missing Parts

**FROMMER LAWRENCE & HAUG LLP**

745 Fifth Avenue  
New York, New York 10151  
Telephone: (212) 588-0800  
Facsimile: (212) 588-0500  
E-mail: Firm@flhlaw.com

**FACSIMILE COVER LETTER**

**To:** United States Patent and Trademark Office  
**Firm:** Missing Parts  
**Facsimile:** 703-746-4060  
**From:** Thomas J. Kowalski / Anne-Marie C. Yvon, Ph.D.  
**Date:** August 6, 2004  
**Re:** U.S. Application Serial No. 10/812,144  
**Our Ref.:** 674525-2011  
**Number of Pages:** 11  
(including cover page)

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If you do not receive all pages or are unable to read the transmission, please call and ask for Jennifer Archer (Ext. 2012).

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I hereby certify that the following documents are being transmitted via facsimile to the United States Patent and Trademark Office designated number for Missing Parts on the date indicated above.:

1. Communication in response to notice to file missing parts and requesting a one month extension of time (2 pages)
2. Executed Declaration for Patent Application and Power of Attorney (6 pages)
3. Copy of the Notice to File Missing Parts of Nonprovisional Application (2 pages)

**CHARGE DEPOSIT ACCOUNT**

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